

The West Fargo City Commission met on Monday, August 29, 2011, at 5:30 P.M. Those present were Rich Mattern, Lou Bennett, Mark Simmons, Mike Thorstad and Duane Hanson. The meeting was called to order by Rich Mattern, President of the Board.

The Pledge of Allegiance was recited.

Commissioner Mattern advised that "Resolution Releasing Developer's Agreement and Promissory Note Relating to Improvement District No. 1229 of the City of West Fargo, North Dakota" is to be added to the Consent Agenda. Commissioner Hanson moved and Commissioner Thorstad seconded to approve the Order of Agenda with the addition to the Consent Agenda as noted. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Hanson seconded to approve the Minutes of August 15, 2011. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Simmons seconded to approve the Budget Meeting Minutes of August 15, 2011. No opposition. Motion carried.

There were no Building Permits for review.

Commissioner Mattern introduced the City's newest employees: Finance Director Tina Gustafson and Human Resource Director Carmen Schroeder.

Commissioner Simmons moved and Commissioner Hanson seconded to approve the following items on the Consent Agenda:

Bills

Games of Chance: Southdale Senior Citizens Club for Bingo/Raffle July 5, 2011 to June 30, 2012

Games of Chance: Benefit for Stacey & Aaron Birch for Raffle to be held September 17, 2011

Games of Chance: Dakota East Central Pheasants Forever for Raffle to be held September 8, 2011

Games of Chance: Jamestown Shrine Clowns for Raffle to be held August 22, 2011 to September 22, 2011

Games of Chance: Lutheran Church of the Cross for Raffle to be held October 30, 2011

2011 Pavement Management Project (Bit overlay of Sheyenne Street from 13th Avenue to I94): Award bid to Border States Paving, Inc for \$166,310.00

Street Improvement District No. 2213 (3rd Avenue Northwest): Approve Engineer's Report, authorize Engineer to prepare Plans and Specifications, authorize Resolution of Necessity

Street Improvement District No. 2214 (3rd Avenue Northwest): Create Assessment District, authorize Engineer to prepare Engineer's Report, approve Engineer's Report, authorize Engineer to prepare Plans and Specifications and authorize Resolution of Necessity

Traffic Advisory Committee Recommendations

Resolution Releasing Developer's Agreement and Promissory Note Relating to Improvement District No. 1229 of the City of West Fargo, North Dakota

No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on a request to move the westbound left turn lane location from the Fargo Trailer Center entrance site east to the Lars Body Shop entrance site. Russ Johnson of 1805 E Main (Jemco Inc), Lars Dyrdaahl of 2009 E Main Ave (Lars Body Shop), Scott Young of 1909 E Main Avenue (Fargo Trailer Center), Jeff Hilde of Fargo Trailer Center and Mike Jesser, representing the Rommesmo Family Ltd Partnership, appeared before the Commission. City Engineer Kevin Bucholz, Assistant Chief Michael Reitan, Police Chief Arland Rasmussen and Assistant Public Works Director Chris Brungardt also appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to ask the ND Department of Transportation to consider two turn lane locations and if that is not possible, then the preferred turn lane location would be at the Lars Body Shop entrance site. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on the complaint against Glass Advantage for the odor and dust being discharged from Glass Advantage's exhaust stack and advised that after review, Staff feels there is a violation of Nuisance Ordinances 15-06. City Engineer Kevin Bucholz asked for approval to send a letter to Glass Advantage giving them a reasonable time frame to come back with action and a time frame to rectify the issue after the City Engineer has validated there is a nuisance. Hugh Sobolik, manager of Glass Advantage, appeared before the Commission. Assistant Public Works Director Chris Brungardt was asked to have Public Works Director Barry Johnson contact Mr. Sobolik regarding any grants or solutions for this problem. Mark Flaagan of F & M Transport, Rick Diede of F & M Transport, City of West Fargo Public Health Officer Grant Larson and City Attorney Brian Neugebauer also appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to recommend that a letter be sent to Glass Advantage giving them time to react to it and come back to the City Commission in three weeks. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on Shadow Creek 2nd Addition rezoning from Agricultural to Single Family Dwellings. A Public hearing was held on the rezoning. There was no public comment and the hearing was closed. Commissioner Simmons moved and Commissioner Bennett seconded to place on First Reading the rezoning of Shadow Creek 2nd Addition from Agricultural to Single Family Dwellings subject to the eleven conditions listed in the Staff Report as recommended by the Planning and Zoning Commission. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on Prairie Heights 1st Addition rezoning from Agricultural to One and Two Family Dwellings and Limited Multiple Dwellings. A public hearing was held on the rezoning. There was no public comment and the hearing was closed. Commissioner Bennett moved and Commissioner Thorstad seconded to place on First Reading the Rezoning of Prairie Heights 1st Addition from Agricultural to One and Two Family Dwellings and Limited Multiple Dwellings subject to the nine conditions listed in the Staff Report as recommended by the Planning and Zoning Commission. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on Lake Crest 1st Addition rezoning from Public Facilities to Planned Unit Development. A public hearing was held on the rezoning. Michael Domitrovich of City View appeared before the Commission to explain the use of the Club House. The hearing was closed. Commissioner Hanson moved and Commissioner Thorstad seconded to place on First Reading the Rezoning of Lake Crest 1st Addition from Public Facilities to Planned Unit Development subject to the six conditions listed in the Staff Report as recommended by the Planning and Zoning Commission. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission for approval to correct addresses along Prairie Parkway to make the addresses consistent with the rest of the City addressing scheme. Planning and Zoning Commissioner Frank Lenzmeier and Planning Director Larry Weil appeared before the Commission. After discussion, Senior Planner Steven Zimmer was asked to contact the businesses for their input and to check with the Post Office on delivery of mail to both the new and old address for a period of time.

Planning Director Larry Weil appeared before the Commission on the Renaissance Zone application from NIP Partners LLP for property at 710 Main Avenue West and advised that the Economic Development Advisory Committee recommended approval. Planning and Zoning Commissioner Frank Lenzmeier also appeared before the Commission. Commissioner Simmons moved and Commissioner Thorstad seconded to approve the Renaissance Zone application as recommended by the Economic Development Advisory Committee. No opposition. Motion carried.

Commissioner Lou Bennett reviewed information on the property at 511 West Main Avenue as far as police calls to the area since 2007 and the fact that the area needs to be cleaned up, and recommended that the City purchase the property for \$160,000 plus the cost of \$40,000 to clear the debris. City Auditor James Brownlee advised that the City could fund the purchase from City Reserves. City Attorney Brian Neugebauer and Police Chief Arland Rasmussen also appeared before the Commission. After discussion, Commissioner Bennett moved to make the purchase. The motion failed for lack of a second. Commissioner Simmons asked that Staff address the issue of the wear and tear on the facility and contact the property owner to clean it up.

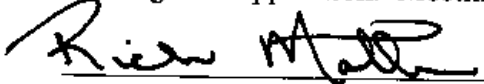
City Auditor James Brownlee appeared before the Commission on the request for funding of the Emergency Food Pantry and advised that the City will be receiving \$400,000 of administrative money which could be used to fund the request for \$25,000 for the Emergency Food Pantry and repairs to the Sanitation Building on 8th Street. After discussion, Commissioner Hanson moved and Commissioner Bennett seconded to approve \$25,000 for the Emergency Food Pantry. No opposition. Motion carried.

City Auditor James Brownlee appeared before the Commission on the 2012 Preliminary Budget. Commissioner Simmons moved and Commissioner Thorstad seconded to approve the 2012 Preliminary Budget of \$32,191,924.00 and to set the Public Hearing to adopt the 2012 Budget for September 19, 2011, at 6:00 P M. No opposition. Motion carried.


There were no Non-Agenda items.

Moore Engineering provided a status report of the West Fargo City Projects.

Commissioner Bennett moved and Commissioner Hanson seconded to adjourn the meeting. No opposition. Meeting was adjourned.



Rich Mattern
President of the Board



James Brownlee
City Auditor